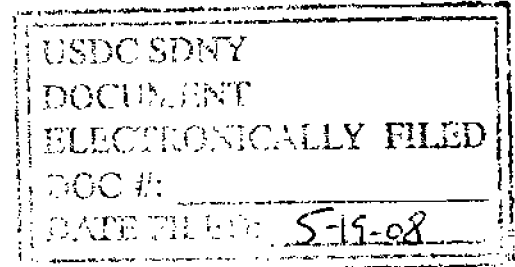


KEENAN, J

ROBERT A. PINEL – RAP 9070
FLAMM, BOROFF & BACINE, P.C.
Westfield Corporate Center
4905 West Tilghman Street, Suite 310
Allentown, Pennsylvania 18064
610-336-6800
Attorneys for Plaintiffs



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DLJ MORTGAGE CAPITAL, INC. and :
CREDIT SUISSE FIRST BOSTON :
MORTGAGE CAPITAL, LLC. :

Case No. 07-CV-10318 (JFK)

Plaintiffs,

- against -

DISMISSAL WITH PREJUDICE

ACT LENDING CORPORATION d/b/a :
AMERICAN CAPITAL MORTGAGE :
SERVICES, AMERICAN CAPITAL :
TRUST, and NELSON HAWS, :

Defendants.

Plaintiffs DLJ Mortgage Capital, Inc. ("DLJMC") and Credit Suisse First Boston Mortgage Capital, LLC ("CSFBMC") hereby dismiss their Complaint against Defendant Nelson Haws, with prejudice, and before the filing by such Defendant of an Answer or any other pleading. Each party shall be responsible for their own fees and costs.

FLAMM, BOROFF & BACINE, P.C.
Attorneys for Plaintiffs DLJ Mortgage Capital,
Inc. and Credit Suisse First Boston Mortgage
Capital, LLC

By:


Robert A. Pinel, Esq.

Dated: May 15, 2008

CO ORDERED
7 May 2008
U.S.D.C.
8/19/08